

# M E M O R A N D U M

## DEPARTMENT OF GAME AND FISH

April 2011

**TO: George Farmer, Leon Redman**

**FROM: Mark Holguin**

**SUBJECT: Bettis Stoval Unitization Agreement**

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Brent Ward, owner of the Bettis Stoval Ranch, has entered into a unitization agreement with the Department and State Lands. Mr. Ward historically had problems with public hunters using this state land as access points to enter and trespass on his private land. The state land proposed to be closed for hunting lies to the west of State Road 219 north of Pastura in Guadalupe County. Approximately 1300 acres of the state land closed to public access under this agreement is poor deer habitat. In addition the state land to be closed in T7N R19E sections 20 and 29 do not have a fence or natural boundary between the state land and private land making it difficult for a hunter to determine if they are on state or private property. There are also three private residences just to the west of the closed state land.

The majority of the legally accessible state land lies to the east of State Road 219. Mr. Ward has opened to public hunter access 960 acres of private land that is good deer habitat in exchange for the closure of 2200 acres of state land that is mostly marginal deer habitat. The 960 acres of private land also lies to the east of State Road 219. This exchange is beneficial to the public hunters because:

- 1) It provides the deer hunters with a better opportunity to harvest a buck.
- 2) It also helps alleviate trespass conflicts and thus creates a healthier sportsman/landowner relationship.

This unitization agreement is not only important to help protect Mr. Ward's land from trespass hunters, but also provides for a more enjoyable hunt experience for New Mexico's public deer hunters. This agreement allows the public hunter to use State Road 219 as a western boundary to legally accessible and contiguous piece of state and private property.

In addition, Mr. Ward's land management practices provide benefits to the wildlife and habitat. These practices include brush clearing, rotational grazing, and maintenance of water sources throughout the year. Without Mr. Ward's maintenance of these water sources, water would be very limited or nonexistent on the property.

**NEW MEXICO DEPARTMENT OF GAME AND FISH  
STATE CAPITOL  
SANTA FE, NEW MEXICO 87504**

**AGREEMENT FOR UNITIZING STATE LEASE AND PRIVATELY OWNED OR LEASED  
LANDS.**

It is the desire of the Department of Game and Fish to optimize hunting and fishing opportunities consistent with good management. Since the Easement between the State Land Office and Department of Game and Fish provides for surface use agreements for the purpose of setting aside a contiguous block of land open to hunting and/or fishing, to provide a minimum of interference to the grazing lessee or holders of other rights, the following agreement between the Department of Game and Fish and the lessee is hereby entered into.

The following private land shall be deemed **OPEN** to public hunting and/or fishing which consists of **960** acres described as follows: T8N R19E: Section 29 SW ¼, NW1/4; Section 30 S1/2, NW1/4; Section 31 N1/2N1/2

In exchange for the privilege of **CLOSING**, to hunting and/or fishing, state lands consisting of **2200** acres described as following:

T8N R19E: Section 32 SW1/4; T7N R19E Section 5 S1/2 AND NW ¼; Section 8 SE1/4NE1/4; Section 16 W1/2; Section 20 (except the N2NW4, SW4NW4): Section 29

It is mutually understood that both the Department of Game and Fish and the lessee of state lands, or their representative will furnish information regarding the tract of land open to hunting or fishing upon request. Also, the Department of Game and Fish may place signs, in conspicuous places, by which licensed hunters and anglers will be notified that the state lands have been unitized and an area has been set aside for hunting and/or fishing purposes.

Under this agreement, it is understood that the state trust land for which the unitized area is substituted shall not be subject to the terms of the Department of Game and Fish Easement with the State Land Office and is subject to posting. Enforcement of trespass upon state trust lands for which the unitized area is substituted shall not be the responsibility of the Department of Game and Fish.

It is further understood that the private land involved in this agreement shall be treated as if it were easement lands pursuant to the terms of the Department of Game and Fish Easement with the State Land Office and shall be subject to all relevant rules and regulations governing hunting and fishing on state trust land.

This agreement shall be effective on the date of its approval by the Commissioner of Public Lands and shall expire one year from that date.

Ranch Management Practices on the State Lands Covered by this Agreement that Benefit Wildlife and/or Wildlife Habitat: *Maintain water year round, rotational grazing, fence modifications*

Special provisions: None

Ranch Name: Bettis Stoval

Foreman or Representative: NA

Ranch Owner: Brent Ward

Foreman's Address: NA

Owner's Address: HC69 Box 1018  
Santa Rosa, NM 88435

Phone: NA

Phone Number: (575) 472-5888

*Brent Ward*

Ranch Owner

*Tom W. Steverson*

Director, Department of Game and Fish

*Ry Powell*

Commissioner of Public Lands

Approval Date: 9/20/11

Department of Game and Fish Contact:  
Phone Number: (505)